

Application No.: 10/803,113
Docket No.: UC0223USCIP

Remarks

Status of the Application

Claims 1-7 and 22 are pending. None of the claims is being amended.

Applicants acknowledge the Examiner's withdrawal of the rejection over Kirmanen et al., U.S. Patent 5,585,038.

Double Patenting Rejection

[1] Claims 1-7 and 22 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 5, 7-10, 14-15, and 17-18 of co-pending application Serial No. 10/814,917. A terminal disclaimer is submitted concurrently herewith. Applicants respectfully submit that this rejection has been overcome and request that it be withdrawn.

[2] Claims 1-5 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 12 and 17 of U.S. Patent No. 6,756,474. Claim 12 of this reference is directed to a composition comprising polyaniline complexed with a high molecular weight polymeric sulfonic acid, where the polymeric backbone is selected from a specific group. However, as discussed above, these are not colloid-forming polymeric acids. Claim 17 of this reference further specifies a group of high molecular weight polymeric sulfonic acids.

The reference teaches throughout that the recited polymeric acids are soluble in aqueous solution. For example, in claim 1 of the reference, aniline monomers of formula I and the high molecular weight polymer of formula II are combined to form *an aqueous solution* (Col. 12, lines 42-43). Examples 1 and 2 of Hsu also teach the use of aqueous solutions of the polymeric acid used to form the polyaniline complex. (See Example 2, Col. 8, lines 28-29: "3.9 g distilled aniline was first dissolved in a 144 ml aqueous solution containing 6.9 g of HMW-PSSA Sample 1-1." See also Col. 8, lines 33-37 and Col. 9, lines 11-14 [the dried solid PANI/HMW-PSSA complex added to distilled water with stirring formed a 1.0 or 2.0 wt % dispersion]. Also, Comparative Example A, Col. 9, lines 27-28 referring to the "aniline/L-PSSA solution" in water.)

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Applicants submit that Applicants' Claims 1-5 are not obvious in view of the water-soluble acids cited in this reference, because the reference does not teach or suggest using a colloid-forming polymeric acid with the polyaniline semiconductive material, and provides no motivation for altering the aqueous solution of the aniline and high molecular weight polymeric sulfonic acid complexed therewith. Applicants further note that the claimed dispersion includes a fluorinated polymeric sulfonic acid (which is colloid-forming) while the reference neither teaches nor suggests fluorinating the polymeric sulfonic acid. Therefore, the results achieved under the present claims would not have been fairly predictable or expected from reading the reference.

Rejection under 35 U.S.C. § 102

Claims 1-5 stand as rejected under 35 U.S.C. § 102(e) as being anticipated by Hsu, U.S. Patent 6,756,474 ("Hsu"). Applicants respectfully traverse this rejection.

Applicants' invention, as recited in Claim 1, is a composition which is (i) an aqueous dispersion comprising (ii) at least one polyaniline and (iii) at least one colloid-forming fluorinated polymeric acid. Hsu relates to an aqueous dispersion of polyaniline complexed with a high molecular weight polymeric sulfonic acid. Although the product polyaniline complex is made as a dispersion, there is no teaching or suggestion that the starting acid is or could be a *colloid-forming* polymeric acids. In fact, the reference teach that the polymeric acids are soluble in aqueous solution. The foregoing remarks on water solubility of the acids recited in Hsu are equally applicable here. Furthermore, Hsu does not teach or suggest a *fluorinated* polymeric acid. As Hsu does not teach or suggest the aqueous dispersion of Applicants' Claim 1, similarly Hsu does not teach or suggest the subject matter of any of the claims dependent on Claim 1.

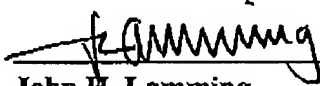
Hsu does not teach or suggest each and every limitation of the claims under review, and therefore cannot anticipate the rejected claims. Applicants respectfully assert that this rejection should be withdrawn.

Conclusion

Applicants respectfully submit that the rejections have been overcome and solicit a notice of allowance. Should the Examiner have questions, the Examiner is invited to call the undersigned at the telephone number listed below.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Lamming", is written over a horizontal line.

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